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Attorney Docket No.: F-147

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REMARKS

1. Status of Claims

Claims 1-11 were pending in the Application. Applicants respectfully request consideration of the enclosed remarks. Accordingly, claims 1-11 will remain pending in the application.

2. Rejections under 35 USC § 103(a)

In section 3 of the Office Action, the Examiner rejected Claims 1, 3, 4, 6, 9 and 11 under 35 U.S.C. 103(a) as allegedly rendered obvious by U.S. Patent No. 6,244,763 to Miller ("Miller '763") in view of U.S. Patent No. 6,010,156 to Block ("Block '156"), U.S. Patent No. 5,051,565 to Wolfram ("Wolfram '565"), and U.S. Patent No. 5,697,648 to Petkovsek ("Petkovsek '648").

Applicants respectfully traverse the rejection. Applicants submit that the references are not properly combined and that the combination does not render the invention as presently claimed obvious.

The Examiner is improperly using hindsight and using the current claim as a roadmap to argue that the invention of the present claim is obvious. It is clear from block that label segments were printed for application to an article, yet there is absolutely no suggestion anywhere in the cited references of a need to match the label groups using a locally unique common mark.

There is absolutely no suggestion in Wolfram '565 of printing multiple label pairs and using marks to uniquely identify the various pairs. Nowhere in the cited references is there a suggestion of a problem of printing multiple label pair sets and identifying label pair portions as related from among multiple sets of label pairs. There is absolutely no suggestion of placing a unique identifying mark on each label of the pair that is human discernable to allow a user to match said label pair as a solution to such problem, especially as the problem is not recognized in the cited references.

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Furthermore, on page 3, third paragraph, the Examiner relies on the USPS standard Facing identification mark to identify indicia. Contrary to the Examiner's statements in section 7 of the Office Action, the FIM cannot be used as an identifier as it is constant. See Appendix A attached hereto that is an excerpt from the USPS Domestic Mail Manual and describes standard FIM marks.

Applicants respectfully submit that the cited references do not render the invention as presently claimed in Claim 1 obvious and are not properly combined. Accordingly, Applicants respectfully submit that the Examiner has not established a prima facie case of obviousness.

Applicants respectfully submit that the invention as presently claimed in dependent Claims 3, 4, 6, 9 and 11 are patentable over the cited references for at least the reasons stated above with reference to Claim 1. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

In section 4 of the Office Action, the Examiner rejected Claims 2, 8 and 10 under 35 U.S.C. 103(a) as allegedly rendered obvious by Miller '763 in view of Block '156, Wolfram '565, Petkovesk '648 and further in view of U.S. Patent No. 4,743,747 to Fougere, et al. ("Fougere '747").

Applicants respectfully traverse the rejection for at least the reasons stated above with regard to Miller '763, Block '156, Wolfram '565 and Petkovesk '648 in responding to section 3 of the Office Action. Claims 2 and 8 depend from Claim 1 and are patentable over the cited references for at least the reasons stated above in response to section 3.

Accordingly, Applicants submit that for at least the reasons stated above, the cited references do not alone or in proper combination render obvious the invention as presently claimed in Claims 2, 8 and 10. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

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In section 5 of the Office Action, the Examiner rejected Claim 5 under 35 U.S.C. 103(a) as allegedly rendered obvious by Miller '763 in view of Block '156, Wolfram '565, Petkovesk '648 and further in view of U.S. Patent No. 5,270,522 to Bone, Jr. ("Bone '522").

Applicants respectfully traverse the rejection for at least the reasons stated above with regard to Miller '763, Block '156, Wolfram '565 and Petkovesk '648 in responding to section 3 of the Office Action. Claim 5 depends from Claim 1 and is patentable over the cited references for at least the reasons stated above in response to section 3.

Furthermore, one of skill in the art would not look to Bone '522 to modify Miller '763, Block '156 and Petkovesk '648 as the reference describes a system for creating dynamic barcodes and does not suggest applicability with label pairs.

Accordingly, Applicants submit that for at least the reasons stated above, the five (5) cited references do not alone or in proper combination render obvious the invention as presently claimed in Claim 5. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

In section 6 of the Office Action, the Examiner rejected Claim 7 under 35 U.S.C. 103(a) as allegedly rendered obvious by Miller '763 in view of Block '156, Wolfram '565 and Petkovesk '648 and further in view of DE 32 33 005 to Klippert ("Klippert").

Applicants respectfully traverse the rejection for at least the reasons stated above with regard to Miller '763, Block '156, Wolfram '565 and Petkovesk '648 in responding to section 3 of the Office Action. Claim 7 depends from Claim 1 and is patentable over the cited references for at least the reasons stated above in response to section 3.

Applicants respectfully maintain that one of skill in the art would not look to Klippert to modify Miller '763, Block '156, Wolfram '565 and Petkovesk '648 as the reference describes a system for reading watermarks on stamps and does not

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suggest applicability with label pairs and is not pertinent to the invention as presently claimed.

Accordingly, Applicants submit that for at least the reasons stated above, the five (5) cited references do not alone or in proper combination render obvious the invention as presently claimed in Claim 7. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

Accordingly, Applicants submit that the invention as presently claimed in claims 1-11 is patentable over the cited references and in condition for allowance.

3. Conclusion Of Remarks

For at least the reasons stated above, it is respectfully submitted that the claims of this application are in condition for allowance and early and favorable action thereon is requested.

If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney for Applicant at (203) 924-3180.

4. Authorization

No fee is believed due with this response. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the response or credit any overpayment to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-147.

In the event that an extension of time or additional extension of time is required to make this response timely filed, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-147.

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Respectfully submitted,



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APPENDIX A – UNITED STATES POSTAL SERVICE DOMESTIC MAIL MANUAL – ISSUE 57

<http://pe.usps.gov/text/dmm/C100.htm#Ray28327>




5.0 Facing Identification Mark (FIM)**5.1 Use**

The facing identification mark (FIM) serves to orient and separate certain types of First-Class Mail during the facing-canceling process. The appropriate FIM is required on all letter-size business reply mail (BRM) under S922. The appropriate FIM also is required on letter-size courtesy reply mail (CRM) and meter reply mail (MRM) provided as enclosures in automation rate mailings under C810. Letter-size mail with IBI printed with nonfluorescent ink directly onto the envelope by an IBI meter or a PC postage system must use FIM D. A FIM must not be used on any other type of mail.

5.2 Pattern


The FIM pattern is a nine-bit binary code represented by vertical bars (with corresponding space element). A printed bar is considered binary 1; a nonprinted bar (placeholder), binary 0. The required FIM pattern as shown below depends on the type of mail and the presence of a POSTNET barcode as follows:

- a. FIM A is used for CRM and MRM with a preprinted barcode. (FIM A binary code is 110010011.)
- b. FIM B is used for BRM without a preprinted BRM ZIP+4 barcode. (FIM B binary code is 101101101.)
- c. FIM C is used for BRM with a preprinted BRM ZIP+4 barcode. (FIM C binary code is 110101011.)
- d. FIM D is used for letter-size First-Class Mail with IBI printed with nonfluorescent ink directly on the envelope. (FIM D binary code is 111010111.)

Name	Pattern	Use	POSTNET Barcoded?
FIM A		Courtesy reply mail Meter reply mail	Yes
FIM B		Business reply mail	No
FIM C		Business reply mail	Yes

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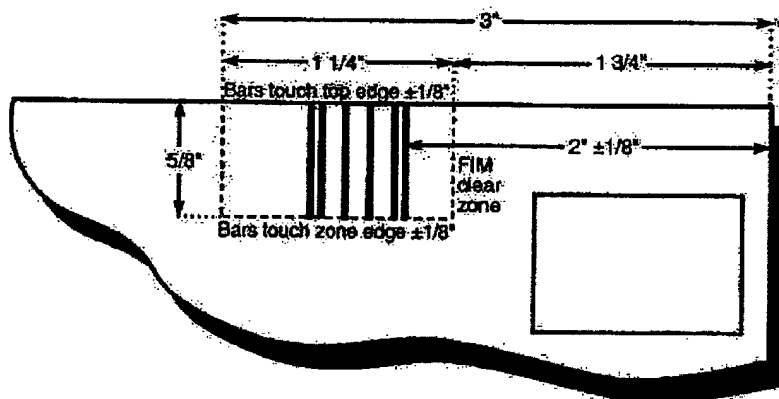
FIM D		IBM meters and PC Postage systems	Not required
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5.3 Specifications

The FIM must meet these specifications:

- a. A FIM clear zone to the upper right of the address side of the mailpiece must be maintained and must contain no printing other than the FIM. Exhibit 5.3 shows the FIM position and the FIM clear zone as defined by these boundaries:
 - (1) Left: 3 inches from the right edge of the piece.
 - (2) Right: 1-3/4 inches from the right edge of the piece.
 - (3) Top: top edge of the piece.
 - (4) Bottom: 5/8 inch from the top edge of the piece.
- b. The FIM bars must be 5/8 inch ($\pm 1/8$ inch) high and 1/32 inch (± 0.008 inch) wide and positioned as follows:
 - (1) The right edge of the rightmost bar of the FIM must be 2 inches ($\pm 1/8$ inch) from the right edge of the piece.
 - (2) The tops of the FIM bars must be no lower than 1/8 inch from the top edge of the piece. The tops of the bars may extend over the top edge of the piece to the back (flap) of the piece if at least a 1/2-inch bar height is maintained on the address side.
 - (3) The bottoms of the FIM bars must touch the bottom boundary of the FIM clear zone or be no more than 1/8 inch above or below this boundary.

Exhibit 5.3 Position of FIM



5.4 Dimensional Tolerances

Extraneous ink must not cause a FIM bar to exceed the specifications in 5.3. The combined effects of positional skew (slant of the entire FIM) and rotational skew (slant of the individual FIM bars) must be limited to ± 5 degrees from the perpendicular edge of the printed FIM to the top edge of the mailpiece. Mail required to bear a FIM is

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considered nonmailable when the FIM has insufficient ink coverage, improper measurement, or ink in the space between the bars or when the FIM is enlarged or reduced. Camera-ready positives of FIMs, which must not be enlarged or reduced, are available at no charge from the USPS.

5.5 Reflectance

There must be at least a 30% print reflectance difference between the ink used for printing the FIM and the background material on which the FIM is printed in the red and green portions of the optical spectrum when measured with a USPS or USPS-licensed envelope reflectance meter.
DMM Issue 57 with changes through Postal Bulletin 22106 (7-10-03)

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8/05/03 Response